U.S. Department of Justice

*United States Attorney*
*Southern District of New York*

*The Silvio J. Mollo Building*
*One Saint Andrew's Plaza*
*New York, New York 10007*

MEMO ENDORSED

July 29, 2008

RECEIVED
JUL 30 2008
CHAMBERS OF
RICHARD M. BERMAN
U.S.D.J.

BY HAND

The Honorable Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Nathaniel Fludd,
08 CR 227 (RMB)

Dear Judge Berman:

A suppression hearing in the above-captioned matter had been scheduled for August 20, 2008. Due to the unavailability of the two main Government witnesses on the scheduled date, the parties respectfully request that the hearing in this matter be adjourned to October 1, 2008, and a new motion schedule be set. Defense counsel consents to the adjournment and to the exclusion of time pursuant to the Speedy Trial Act until the hearing date.

Please contact me with any questions.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: Jennifer E. Burns
Jennifer E. Burns
Assistant United States Attorney
(212) 637-2315

cc: Sabrina P. Shroff, Esq. (By Facsimile)

Defendant's motion is due 8-20-08; government response is due 9-18-08; Defendant's reply, if any, is due 9-25-08. Hearing/ruling on the motion is scheduled for 10-1-08 at 2:30pm. Time is excluded pursuant to the speedy trial act for the reasons set forth in this letter.

SO ORDERED:
Date: 7-31-08

Richard M. Berman
Richard M. Berman, U.S.D.J.

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